



Senate

General Assembly

File No. 423

January Session, 2013

Substitute Senate Bill No. 1112

Senate, April 9, 2013

The Committee on Planning and Development reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE PUBLICATION OF LEGAL NOTICES BY MUNICIPALITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2013*) (a) Whenever any town,
2 city, borough, district, board, commission or agency is required to
3 publish a legal notice in a newspaper pursuant to any provision of
4 section 7-3, 7-9c, 7-85, 7-131j, 7-131n, 7-139, 7-147b, 7-147q, 7-163e, 7-
5 191, 7-222, 7-247a, 7-250, 7-252, 7-255, 7-263a, 7-273f, 7-273g, 7-325, 7-
6 327, 7-344, 7-485, 7-492, 7-601, 8-2j, 8-3, 8-3c, 8-7, 8-7d, 8-23, 8-26e, 8-28,
7 8-29, 8-35a, 8-44, 8-127, 8-127a, 8-129, 8-169d, 8-169s, 8-169v, 8-189, 8-
8 191, 8-294 or 22-332 of the general statutes, such town, city, borough,
9 district, board, commission or agency may elect to publish a brief legal
10 notice pursuant to subsection (b) of this section in lieu of the notice
11 required in any of said sections, provided such town, city, borough,
12 district, board, commission or agency complies with all other
13 requirements under the provisions of said sections concerning the
14 timing and frequency of publication. For the purposes of this section,

15 "additional information" includes any information otherwise required
16 to be published in a legal notice pursuant to said sections.

17 (b) The brief legal notice shall provide the following information: (1)
18 A description of the subject matter being noticed; (2) (A) the date, time
19 and location if the subject matter is a meeting or a public hearing, (B)
20 the hours during which polls will be open if the subject matter is a
21 referendum or an election, (C) the address or other description of real
22 property if the subject matter concerns real property, and (D) the
23 decision on an application if the subject matter concerns an
24 application; (3) the Internet web site address at which additional
25 information concerning the subject matter is available; (4) the physical
26 address and office hours of the office of the town clerk, at which
27 additional information shall be made available for public inspection;
28 and (5) a telephone number that may be called to request that a copy of
29 additional information be mailed at no charge.

30 Sec. 2. (NEW) (*Effective October 1, 2013*) Any newspaper that
31 publishes legal notices for municipalities shall indicate, in the index of
32 such newspaper, the pages on which such legal notices are printed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	New section
Sec. 2	<i>October 1, 2013</i>	New section

Statement of Legislative Commissioners:

In subsection (a) of section 1, "in lieu of the notice required in any of said sections" was added for clarity.

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 14 \$	FY 15 \$
All Municipalities	Savings	Minimal	Minimal

Explanation

The bill reduces the amount of information municipalities are required to include in certain legal notices posted in newspapers.

There is a savings, anticipated to be minimal, associated with the bill's provisions concerning the posting of smaller notices. The extent of the savings depends on the way in which a newspaper factors the size of a legal notice into its price structure.

As an example, in FY 12, the City of Bridgeport spent approximately \$150,000 on posting of legal notices; the Town of Southbury spent approximately \$16,500.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of legal notices posted and newspaper advertising rates.

*Sources: City of Bridgeport
Town of Southbury*

OLR Bill Analysis**sSB 1112*****AN ACT CONCERNING THE PUBLICATION OF LEGAL NOTICES BY MUNICIPALITIES.*****SUMMARY:**

This bill allows municipalities, municipal entities, and state and municipal agencies to shorten the length of various legal notices they publish in local newspapers, as long as they (1) publish specific information in the notices and (2) comply with existing procedural requirements regarding these notices.

The bill also requires newspapers that publish legal notices for municipalities to include in their indexes the pages on which the notices are printed.

EFFECTIVE DATE: October 1, 2013

BRIEF LEGAL NOTICES***Legal Notices That May Be Shortened***

The bill allows towns, cities, boroughs, districts, boards, commissions, and agencies to shorten the length of the legal notices described in Table 1. Entities that do so must comply with the law's existing timing and frequency requirements for the various notices.

Table 1: Brief Legal Notices

<i>Citation</i>	<i>Documents</i>
7-3	Warnings of town meeting, notices of meetings of other municipalities, school districts, public communities, and ecclesiastical societies
7-9c	Notice by municipal clerk of date and hours of referenda
7-85	Notice by town treasurer calling in town orders for payment
7-131j	Notice by the state of the time and place of a public hearing on taking of land by the state or any public service company
7-131n	Notice by municipality of a public hearing on the taking of land previously purchased for

	recreational or open space purposes
7-139	Notice by city or borough of an assessment for public works and improvements
7-147b	Notice of public hearing on the establishment of a proposed historic district
7-147q	Notice of public hearing on the designation of an historic property
7-163e	Notice by municipality of a public hearing on the sale, lease, or transfer of municipally-owned real property
7-191	Proposed charters or charter or home rule ordinance amendments
7-222	Notice by municipal gas or electric utility of a rate change
7-247a	Notice by municipal water pollution control authority (WPCA) of a proposed sewer system acquisition or construction
7-250	Notice by WPCA of sewer benefit assessments and related public hearings
7-252	Notice by WPCA of assessment due date
7-255	Notice by WPCA of sewer connection charges or usage rates and related public hearings
7-263a	Notice by WPCA of a proposed bond issuance to finance a sewer system project and related public hearings
7-273f	Transit district budgets
7-273g	Notice by a transit district of a proposed resolution to authorize bonds and related public hearings
7-325	Notice of a meeting to establish a special taxing district or change an existing district's boundaries
7-327	Notice of special taxing district annual and special meetings
7-344	Town budget reports
7-485	Notice by a municipality of a resolution authorizing it to perform certain economic development activities and the referendum to approve it
7-492	Municipal resolution authorizing bonds secured by a special capital reserve fund under the Connecticut City and Town Development Act
7-601	Notices of neighborhood revitalization planning committees regarding the adoption of bylaws, and amendments thereto, proposed strategic plans, and related public hearings
8-2j	Notice of zoning commission decisions on applications for construction within a village district
8-3	Notices of zoning commissions regarding regulations, maps, certificates of conformity with zoning regulations, and site plan decisions
8-3c	Notices of zoning commission decisions on special permits, special exceptions, and special exemptions
8-7	Notices of zoning appeals and zoning board of appeals decisions
8-7d	Notice by land use boards of public hearings
8-23	Notices by planning commissions regarding plans of conservation and development and related public hearings
8-26e	Notice of planning commission decisions on special permits and special exceptions
8-28	Notice of other planning commission decisions and actions
8-29	Notices by planning commissions regarding the filing of surveys, maps, or plans, and related public hearings
8-35a	Notice by regional planning agencies of public hearings on regional plans of conservation and development
8-44	Notice by public housing authorities of public hearing on sites for proposed housing projects
8-127	Notices by redevelopment agencies regarding redevelopment plans and related public hearings
8-127a & 8-129	Notices by redevelopment agencies regarding the acquisition of real property by eminent domain and related public hearings
8-169d	Notice of public hearing for proposed community development plan
8-169s	Notice by an urban homesteading agency of available property
8-169v	Notice by an urban homesteading agency of its acquisition of real property from the

	federal government
8-189 & 8-191	Notices by a development agency regarding development plans
8-294	Notice by an urban rehabilitation agency of available property
22-332	Notice by animal control officers of impounded animals

Required Content

The bill requires the brief legal notices to include:

1. a description of the notice's subject matter;
2. the website at which additional information is available;
3. the town clerk's address and office hours, where additional information on the notice must be available for public inspection; and
4. a telephone number for requesting a copy of the additional information free of charge.

The bill also requires notices on certain subjects to include additional information. The notices must include the:

1. date, time, and location of meetings or public hearings;
2. hours during which polls will be open for referenda or elections;
3. property's address and description for notices concerning real property; and
4. application decision for notices concerning applications.

BACKGROUND

Related Bill

SB 902, favorably reported by the Government Administration and Elections Committee, (1) allows municipalities and political subdivisions to list descriptions of legal notices in a newspaper instead of the full notice itself, (2) requires the full notice to appear on the municipality or subdivision's website, and (3) specifies that

newspapers include weekly newspapers distributed to town residents free of charge.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 16 Nay 3 (03/22/2013)